

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

## UNITED STATES DISTRICT COURT

for the

District of \_\_\_\_\_

Division \_\_\_\_\_

FILED - GR

May 18, 2023 8:46 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY:JMW SCANNED BY: JAW / S-18

1:23-cv-520

Robert J. Jonker  
U.S. District Judge

Case No. \_\_\_\_\_

(to b)

Carmie-ranata, Private woman

Plaintiff(s) Private

(Write the full name of each plaintiff who is filing this complaint.  
If the names of all the plaintiffs cannot fit in the space above,  
please write "see attached" in the space and attach an additional  
page with the full list of names.)

-v-

City of Grand Rapids, Grand Rapids Police Department et al

Defendant(s)

(Write the full name of each defendant who is being sued. If the  
names of all the defendants cannot fit in the space above, please  
write "see attached" in the space and attach an additional page  
with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☐ Yes ☒ No

See Attached Document  
Counter Claim For Color of law,  
Claim for Civil Violations & denial  
of Constitutional rights and immunities  
guaranteed by Constitution for the  
United States of America Republic  
form of Government

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)***Private Suitor*

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

*Carmie-ronata, Private woman*

Address

*1451 Lake Drive Southeast Suite 68641**Grand Rapids**Michigan**495163*

City

State

Zip Code

County

*Kent*

Telephone Number

*616-217-3981*

E-Mail Address

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name

*CITY OF GRAND RAPIDS*

Job or Title (if known)

*Office of the City Attorney*

Address

*180 Ottawa Avenue NW Suite 1200**Grand Rapids**Michigan 49503*

City

State

Zip Code

County

*Kent*

Telephone Number

*616-456-3388*

E-Mail Address (if known)

☐ Individual capacity☒ Official capacity**Defendant No. 2**

Name

*Grand Rapids Police Department, et al*

Job or Title (if known)

*Grand Rapids Police*

Address

*1 Monroe Center St NW**Grand Rapids**MI**49503*

City

State

Zip Code

County

*Kent*

Telephone Number

*616-456-3400*

E-Mail Address (if known)

☐ Individual capacity☒ Official capacity

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

## Defendant No. 3

Name

Eric Winstrom

Job or Title (if known)

Police Officer

Address

1 Monroe Center St NW

Grand Rapids

MI

49503

City

State

Zip Code

County

Kent

Telephone Number

616-456-3400

E-Mail Address (if known)

☒ Individual capacity
 ☒ Official capacity

## Defendant No. 4

Name

Andrew Middleton

Job or Title (if known)

Police Officer

Address

1 Monroe Center St NW

Grand Rapids

MI

49503

City

State

Zip Code

County

Kent

Telephone Number

616-456-3400

E-Mail Address (if known)

☒ Individual capacity
 ☒ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

See attached Doc. Counterclaim for Color of law claim for civil violations + denial of constitution rights privileges + immunities guaranteed by constitution for the United States of America Republican form of Government

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?



- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See attached Document, counterclaim for color of law, claim for civil violations + denial Constitution Rights, privileges + immunities guaranteed by constitutional for the United States of America Republican form of Government

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
- B. What date and approximate time did the events giving rise to your claim(s) occur?
- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See attached Document, counterclaim for color of law, claim for civil violations + denial Constitution Rights, privileges + immunities granted by constitutional for the United States of America Republican form of Government

**IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

**V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

See attached Document, counterclaim for color of law, claim for civil violations  
+ denial constitution rights, privileges + immunities guaranteed by constitution for the United  
States of America Republican for of Government

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

May 17, 2023

Signature of Plaintiff:

Suitor, Private

Carmie-Ronata

all my rights, remedies, immunities reserved without prejudice

Printed Name of Plaintiff

Suitor, Private

Carmie-Ronata

all my rights, remedies, immunities reserved without prejudice

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

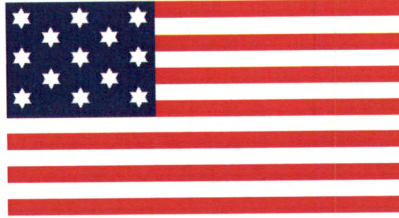
City

State

Zip Code

Telephone Number

E-mail Address



BEFORE THE DE JURE  
DISTRICT COURT OF THE UNITED STATES OF AMERICA FEDERAL COURT  
[Pursuant to Art. III, Section 1-2, Constitution for the United States of America]

(1) In The Western District Of Michigan [Art. 1, § 2, Clause 3, Art 4, § 4]

In re the United States of America in the Family of  
Nations; The United States Government in The  
Family of Nations; The State of Michigan  
Republican Form of Government.

CASE RECORD NUMBER

COUNTER CLAIM FOR COLOR OF LAW  
CLAIM FOR CIVIL VIOLATIONS AND DENIAL  
OF CONSTITUTIONAL RIGHTS PRIVILEGES AND IMMUNITIES GUARANTEED BY  
CONSTITUTION FOR THE UNITED STATES OF AMERICA  
REPUBLICAN FORM OF GOVERNMENT

Suitor  
**Carmie-ronata, Private Womb-man**  
1451 Lake Drive Southeast Suite 68641  
Grand Rapids Michigan 49516  
616-217-3981

vs

Defendant 1  
**CITY OF GRAND RAPIDS**  
180 Ottawa Avenue NW Suite 1200  
Grand Rapids, Michigan 49503  
(616) 456-3388

Defendant 2  
GRAND RAPIDS POLICE DEPARTMENT, et al.,  
**Eric Winstrom**  
**Andrew Middleton**  
**Ryan Manser**  
Unknown Officers per Bivens vs. Six Unknown Named Agents of Federal Bureau of Narcotics  
1 Monroe Center St NW,  
GRAND RAPIDS, MI 49503  
616-456-3400

SILENCE IS ACQUIESCENCE pursuant FEDERAL RULES OF EVIDENCE RULE 301 Note that a judge is a magistrate and is not the  
tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)



## I. FEDERAL QUESTION

1. Does the Fourth Amendment of the Constitution for the United States of America secure and protect a Private womb-man against unreasonable search, unlawful arrest, warrantless search, seizure and in so give rise to a federal claim for damages?
2. Does governmental privilege and immunity extend to STATE AND CITY PEACE or POLICE OFFICERS who willfully violate constitutional protected and secured rights while acting inside or outside their authority?
3. Does allege government interest protected by state laws regulate hostile and life threatening trespass, invasion of privacy and invasion of personal interests in liberty, invasion of legal rights, and invasion of human rights that is protected and secured by the Fourth Amendment of the Constitution for the United States of America?
4. If the suitor/plaintiff can demonstrate an injury consequent upon the violation by defendants of her constitutional protected and secured rights and interest, is she entitled to redress her injury through a particular remedial mechanism normally available in the federal courts?
5. Does federal court have the power to award damages for violation of "constitutionally protected interests," and if so is the traditional judicial remedy such as damages appropriate to the vindication of the personal interests protected by the Constitution for the United States of America.
6. Does a federal court exercise its power to accord a traditional form of judicial relief at the behest of a suitor, who claims a constitutionally protected interest has been invaded where the remedy is "essential," or "indispensable for vindicating constitutional rights?
7. Would it violate the Eight Amendment to impose unreasonable search, unlawful arrest, warrantless search, seizure without probable cause for a STATE TRAFFIC code violation?

## II. JURISDICTION

The Federal court has original jurisdiction over this action pursuant to *28 U.S.C. § 1331* because it involves a federal question. See *28 U.S.C. § 1331* (proving how district courts shall have original jurisdiction of all civil actions arising under the "Constitution, laws, and treaties of the United States"). Pursuant to *28 U.S.C. § 1367(a)*, in any civil action in which the district court has original jurisdiction, the district court "shall have supplemental jurisdiction over all other claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the Constitution". In that, the amount of controversy asserted herein is in excess of \$50,000, and that the controversy is between foreign corporate citizens of a state, the defendants, SILENCE IS ACQUIESCENCE pursuant FEDERAL RULES OF EVIDENCE RULE 301 Note that a judge is a magistrate and is not the tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)



and private sovereign of the land. Article 50 of the International Convention on Civil and Political Rights UN Resolution (2200A) states that, “the provisions of the present covenant shall extend to all parts of all federal states, without limitations or exceptions”. Where the Suitor, Private womb-man claims that the defendants did violate and invade my rights interest and laws within said Covenant, and that Restatement (Third) of Foreign Relations Law of the United States, states at Restatement § 111, comment d (“As the law of the United States, international law is also the law of every State . . .”); id. § 702, comment c (“The customary law of human rights is part of the law of the United States to be applied as such by State as well as federal courts”); see also Restatement § 111(I) and § 115, comment e; R. Lillich.

**I, Carmie-ronata invokes Common law under Article III of the Union States Republic as per 28 USC 1333, without the United States as per 28 USC § 1746.**

- The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are “not the law”, [Self v. Rhay, 61 Wn (2d) 261].
- “the party who brings a suit is master to decide what law he will rely upon, and . . . does determine whether he will bring a ‘suit arising under’ the . . . [Constitution or laws] of the United States by his declaration or bill; see Bell v. Hood, 327 U.S. 678 (1946).
- “It authorizes any person, who is deprived of any right, privilege, or immunity secured to him by the Constitution of the United States, to bring an action against the wrong-doer in the Federal courts and that without any limit whatsoever as to the amount in controversy. The deprivation may be of the slightest conceivable character, See MONROE ET AL. v PAPE ET AL.

### **III. SUITS FOR PROSPECTIVE RELIEF**

- “First, suits for prospective relief may be brought directly under a federal statute which creates a private cause of action”, The Cone Corporation v. Florida Dept. Transportation, 921 F. 2d 1190, 1201 (11th Cir.), cert. den. 500 U.S. 942(1991). Second, suits for prospective relief are brought under 42 U.S.C. § 1983, which creates a federal cause of action for violation of “rights” secured by the federal laws and Constitution. Rosado v. Wyman, 397 U.S. 397 (1970); see R. Capistrano, Enforcing Federal Rights: The Law of Section 1983, 33 Clearinghouse Rev. 217 (1999).
- Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

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- The Due Process Clause of the Fourteenth Amendment to the U.S. Constitution provides that no state may “deprive any person of life, **liberty**, or property, without due process of law.” U.S. Const. amend. XIV, § 1. The maxim of “where there is a legal right, there is also a legal remedy,” is the “essence of *civil liberty*.” *Marbury v. Madison*, 5 U.S. 137, 163 (1803). *Every injury requires “proper redress.” Id. at 147.*
- More importantly, the presumed availability of federal equitable relief against threatened invasions of constitutional interests appears entirely to negate the contention that the status of an interest as constitutionally protected divests federal courts of the power to grant damages absent express congressional authorization. Congress provided specially for the exercise of equitable remedial powers by federal courts, see Act of May 8, 1792, § 2, 1 Stat. 276; C. Wright, *Law of Federal Courts* 257 (2d ed., 1970), in part because of the limited availability of equitable remedies in state courts in the early days of the Republic. See *Guaranty Trust Co. v. York*, 326 U. S. 99, 326 U. S. 104-105 (1945). And this Court’s decisions make clear that, at least absent congressional restrictions, the scope of equitable remedial discretion is to be determined according to the distinctive historical traditions of equity as an institution, *Holmberg v. Armbrrecht*, 327 U. S. 392, 327 U. S. 395-396 (1946); *Sprague v. Ticonic National Bank*, 307 U. S. 161, 307 U. S. 165-166 (1939). The reach of a federal district court’s “inherent equitable powers,” *Textile Workers v. Lincoln Mills*, 353 U. S. 448, 353 U. S. 460 (Burton, J., concurring in result), is broad indeed, e.g., *Swann v. Charlotte-Mecklenburg Board of Education*, 401 U. S. 1 (1971); nonetheless, the federal judiciary is not empowered to grant equitable relief in the absence of congressional action extending jurisdiction over the subject matter of the suit. See *Textile Workers v. Lincoln Mills*, *supra*, at 353 U. S. 460 (Burton, J., concurring in result); *Katz*, 117 U.Pa.L.Rev. at 43.

### **CLAIM of RIGHT—**

...brought pursuant to 42 U.S.C. § 1983 & 42 U.S.C. § 14141 (§ 14141) -- alleges that the STATE OF MICHIGAN, CITY OF GRAND RAPIDS and CITY OF GRAND RAPIDS POLICE is liable for equitable relief for a pattern or practice of unconstitutional excessive force, acting under color of law and/or color of office, false arrests, kidnap and human trafficking, unlawful stops, searches and seizures, confinement under statutes, trespass/invasion of privacy, interest and liberty, false reports, invasion on HUMAN RIGHTS BREACH PER THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, misrepresenting instruments and inter alia by PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS. The Complaint need not plead that the STATE or CITY “caused” the unconstitutional pattern or practice, since...

- § 14141 imposes vicarious liability on the City for the acts of its officers. Section 14141 is constitutional because its enactment was a valid exercise of Congressional authority pursuant to § 5 of the 14th Amendment. Section 14141 does not run afoul of

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the Tenth Amendment because legislation enacted pursuant to § 5 is not subject to Tenth Amendment attack, and

- The Court today simply recognizes what has long been implicit in our decisions concerning equitable relief and remedies implied from statutory schemes; i.e., that a court of law vested with jurisdiction over the subject matter of a suit has the power -- and therefore the duty -- to make principled choices among traditional judicial remedies. Whether special prophylactic measures -- which at least arguably the exclusionary rule exemplifies, see Hill, The Bill of Rights and the Supervisory Power, 69 Col.L.Rev. 181, 182-185 (1969) -- are supportable on grounds other than a court's competence to select among traditional judicial remedies to make good the wrong done, cf. Bell v. Hood, supra, at 327 U. S. 684.

#### ...PART I PARLIAMENTARY LAW AND RULES CHAPTER 1 RULES GOVERNING PROCEDURE

##### Sec. 3. Each House Determines the Rules of Its Own Proceedings and Sec.16. Fraud Will Invalidate Acts

- Where there is more than a mere technical violation of the rules of procedure, the violation may invalidate the act, and an act will be invalidated where there is fraud or bad faith, and

##### Sec.48. Limitations on Powers

- If Congress or a state legislature violates a constitutional requirement, the courts will declare its act void.
- Constitutional provisions prescribing exact times and methods are mandatory.
- When there is a limit imposed on the powers of a body, it must conform to those limits, and when it acts under a delegation of power, it must act strictly within the limits of the power conferred upon it by the authority that created.

### VENUE

Venue is proper under 28 U.S.C. 1391 (e), in that all corporate defendants have their primary corporate headquarters located within the united states, Michigan, western district and private residence within the united states, Michigan, western district. A substantial part of the events giving rise to the claims herein arose within the above-mentioned locations.

### STATUS AT LAW

I, Carmie-ronata am, in this instance the Suitor, Private womb-man. I am indigenous to this land "Amaruca" now called America, within the meaning of the description of the Draft for International Declaration of the Rights of Indigenous Peoples at Article 1 Definition. Misclassifying the Private womb-man and converting the Private womb-man into what is called a "SOVEREIGN CITIZEN" is disparity of my rights. I, Carmie-ronata at all times is to be identified as a Private womb-man not a statutory conversion into an artificial being,

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invisible, intangible, and existing only in contemplation of the law see **People v. Powell** 280 Mich. 699 (Mich. 1937). (See **Exhibits**). See below

### NOTICE OF DEMAND FOR FAIR TRIAL

I, Carmie-ronata invoke a *fair-warning due process claim* against any constitutional invasion and/or violation or gross negligence jeopardizing the Private womb-man's right of a fair trial. This Notice ensures that no infringement of the Private womb-man's fair trial rights will occur. I the Private womb-man demands constitutionally protected and secured guaranteed by the Sixth Amendment rights and interest to a fair trial will that will not be prejudiced by this Common law under Article III of the Union States Republic.

### IV. BACKGROUND AFFIDAVIT OF STATEMENTS OF FACTS GROUNDS FOR CLAIM

#### Verification statement of attestation

I, Carmie—ronata having attained the age of the majority, and not a minor nor incompetent person as defined in statute, do hereby proclaim as well as attest and affirm that the aforementioned is wholly accurate, is based on actual firsthand knowledge and actual firsthand facts and conclusions of law and presented on this day May 16, 2023, under penalty of divine retribution if otherwise so help me Most High who has witness this event in my Private Capacity.

1. I, Carmie-ronata, traveling on Jefferson Ave had signaled left to turn onto Delaware Ave, and that
2. Upon turning unto Delaware Ave, a CITY OF GRAND RAPIDS POLICE cruiser was heading straight unto Delaware Ave, and that
3. I, Carmie-ronata was pursuing my journey to my destination, so I made a right unto Lafayette Ave and then a left unto Highland Ave, and that
4. I, Carmie-ronata noticed the CITY OF GRAND RAPIDS POLICE cruiser driving in close proximity of my private automobile, and that
5. The driver of the CITY OF GRAND RAPIDS POLICE CRUISOR was not driving at a comfortable space of one car length away. Every turn I made the driver of the CITY OF GRAND RAPIDS POLICE cruiser made, and that
6. I, Carmie-ronata, crossed over the intersection of Madison Ave and Highland Ave not far from my end point, the cruiser red lights went off, and that

**Exhibits:** A) Affidavit of Undeath, B) Affidavit of Negation of Denial of Corporate Existence, C) Certificate of Proof of Life, D) Notice from the Security  
E) Notice of Acceptance to General Executrix, F) Grant of Appointment, G) Notice of Certificate of Acceptance, H) Affidavit of Reso  
of Rights, I) Counter Deed, J) Sworn Oath, K) Affidavit of Notice of Demand for Exemption, L) Incident Report, M) Notice of Nemo  
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tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)  
N) MRJ COPY, O) Affidavit of Notice of Verification, P) Affidavit of Right + Fair Impartial Trial, Page 6 of 37  
Q) Affidavit of Notice Attorney's can't testify + demand for verification.



7. I, Carmie-ronata, was under the impression an emergency had occurred so I pulled to the side slowing awaiting the POLICE CRUISOR to go around my private automobile, but the driver of the POLICE CRUISOR remained driving behind my private automobile, and that
8. I, Carmie-ronata pulled in front of a physical home with the address of 420 Highland Ave, and that
9. I, Carmie-ronata became aware of the driver exiting out of the POLICE CRUISOR and turning on a bright light and approach my private automobile from behind , and that
10. I, Carmie-ronata with my own eyes saw the DRIVER with the bright light which appeared to be a flash-light shined it unto the left side of the back window of my private automobile, and that
11. I, Carmie-ronata with my own eyes saw the DRIVER become aware of the NOTICE that state' s "This Automobile is PRIVATE PROPERTY For "household goods" And consumer goods" NOT FOR COMMERCIAL USE NOT FOR PROFIT, NOT FOR GAIN and NOTICE: Further, the courts have found that the Corporate Public Servants who IGNORE their accountability as mandated in the law and the Bill of Rights have by their silence and failure to fully inform the sovereign people of the consequences arising from the corporate "offer to contract" is DEEMED SILENT DECEPTION AND INDUCEMENT BY FRAUD, (See EXHIBIT 4), and that
12. I, Carmie-ronata, heard a knock at my the left front door window where I was sitting at, and that
13. I, Carmie-ronata, heard the driver of the POLICE CRUISOR say, "roll down your window", and that
14. I, Carmie-ronata, rolled down the window for discovery and/or inquiry of the stop, and that
15. The OFFICER whether PEACE OR POLICE, from what I heard stated, "give me your driver' s license and registration", and that
16. I, Carmie-ronata politely and calmly communicated I am grapping a pen and a note book binder so do not bring harm to me because I have a few questions to ask you and write down", and that
17. I, Carmie-ronata, pulled out the NOTICE OF NON-CONSENT from my note book binder and handed to the OFFICER whether PEACE OR POLICE, and that
18. The OFFICER whether PEACE or POLICE looked and read the NOTICE (See Exhibit 4), and stated, "give me your driver' s license and registration", and that
19. I, Carmie-ronata, politely and calmly communicated I have questions to ask you, and that
20. I, Carmie-ronata read from my NOTICE OF INQUIRY AND/OR REPORT OF DETAINMENT and asked my first question "is there an investigation?", and that
21. The OFFICER whether PEACE OR POLICE stated, "I pulled you over for not having plates on the vehicle for this traffic stop", and that
22. The CITY OF GRAND RAPIDS OFFICER whether PEACE OR POLICE proceeded to stop Carmie-ronata under color of law for an alleged violation of MICHIGAN STATE VEHICLE TRAFFIC LAW, and that SILENCE IS ACQUIESCENCE pursuant FEDERAL RULES OF EVIDENCE RULE 301 Note that a judge is a magistrate and is not the tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)

23. I, Carmie-ronata, politely and calmly communicated I have more questions and I read from my NOTICE OF INQUIRY AND/OR REPORT OF DETAINMENT would you provide me your name and badge number and asked is this encounter being recorded, and that
24. The PEACE OR POLICE OFFICE stated, "I am Officer Middleton". While I am communicating the OFFICER whether PEACE OR POLICE is not allowing me to discover the Nature of this action and so he rudely talks over me, and that
25. Andrew Middleton did not clearly inform Carmie-ronata that she had a right to remain silent, and that anything she says will be used against her in court, to assure a continuous opportunity to exercise it, and to honor them fully, and that
26. As I am writing down the information Andrew Middleton response on my NOTICE OF INQUIRY AND/OR REPORT OF DETAINMENT, I hear the Andrew Middleton state, "get out the car", and that
27. I, Carmie-ronata, politely and calmly communicated I do not volunteer stepping out the car and that I fear for my life, by this time there were several white male armed OFFICER' s whether PEACE OR POLICE surrounding my private automobile with no witnesses around but an impartial unit of OFFICER whether PEACE OR POLICE, and that
28. I, Carmie-ronata am I melanated womb-man in an arear with no witnesses, un-armed, and surrounded by all white male muscular men. I, Carmie-ronata feared they had the power to bring great bodily harm to me no less than murder if I was to get out my familiar environment, and that
29. Andrew Middleton tone was forcefully un-comfortable and intimidating, and that
30. Andrew Middleton aggressively opened Carmie-ronata' s private automobile door and the door swung far opened, and Andrew Middleton reached into the private automobile, wrapped both his hands around my left wrist and employed unreasonable force unto my physical body, and that
31. I, Carmie-ronata brain believed that I was in great danger and feared I was about to die, and I felt my body naturally go into shock, and that
32. Andrew Middleton with unreasonable force yanked my left arm so hard that it compelled my entire body to uncontrollably fall out the private automobile unto the ground, and with two other OFFICER' s whether PEACE OR POLICE on top of me pinned my face down on the ground applying an immense amount of pressure unto her cervical and lumbar vertebra creating a pop in her lumber spine that caused great pain that inflicted tension that caused my spinal injury to worsen while handcuffing me making me involuntarily compliant (See EXHIBIT MRI of spinal injury), and that
33. I Carmie-ronata, communicated to Andrew Middleton along with two other OFFICER' s whether PEACE OR POLICE that they re-injured my spine, and that
34. Andrew Middleton along with two other OFFICER' s whether PEACE OR POLICE forcefully lifted me off the ground and Andrew Middleton stated, "you are going to jail, and that
35. Andrew Middleton pulled my left arm involuntarily directing my entire physical body to walk to a POLICE CRUISOR, and as was walking I, Carmie-ronata communicated a verbal NOTICE to all

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the OFFICER' s whether PEACE OR POLICE that I will charge and Lien each one of them for unlawful arrest, kidnapping, human trafficking and re-injuring my vertebrae, and that

36. I, Carmie-ronata locomotion was physically restrained by handcuffs and as I was standing in the side of a police cruiser. With no NOTICE of what was to occur, I felt hands touch my body and I was unable to protect myself from Andrew Middleton hands as he explored my physical body, and
37. I, Carmie-ronata communicated to Andrew Middleton that he does not have my consent to touch my private property my body and told him to stop touching my body, but Andrew Middleton forced himself upon me with his hands and continued punitively raping, punishing my physical body, and that
38. Andrew Middleton began with my legs "by patting them down with both hands on one leg and then coming up and . . . putting his hands on the inner thigh up towards the groin area, and then coming down the other side. . . . then came up and . . . ran the side of his hand, with the little finger entering into my pants pockets (the left then the right that were made deep which allowed his touching my external genital ...then moving his hands over my breast perpendicularly down the middle . . . then around my waist line and proceeding from the back of my neck around my entire back, and that
39. While being continually sexually intimidated, I communicated to Andrew Middleton again to him and his constituents that they re-injured my vertebra and he communicated, "yea okay", and that
40. I, Carmie-ronata, communicated to Andrew Middleton that he did not have my consent to touch my private property my body and told him to stop touching my body, but Andrew Middleton forced himself upon me with his hands and continued punitively raping, punishing my physical body taking captive in a police cruiser, and that
41. I, Carmie-ronata, felt sexually intimidated. I did not have any protective layer on such as a bra or panties on and I could feel him touch my both breast, buttocks and external genitalia firmly, and
42. After Andrew Middleton conducted an unreasonable without probable cause physical body search, I Carmie-ronata was involuntarily force and without my consent to be position inside a POLICE CRUISOR, and that
43. I asked Andrew Middleton is all this being recorded and he states, "yes, do a foia to get a copy", and that
44. Andrew Middleton opened the POLICE CRUISOR and forcefully shoved my physical body in the POLICE CRUISOR HAVING holding my physical body captive, and that
45. As I Carmie-ronata, physical body was held captive in the POLICE CRUISOR, I was chanting being grateful for the experience and while I was chanting and praying I noticed Andrew Middleton and several OFFICER' s whether PEACE OR POLICE inside my private automobile and performing an entire warrantless search including the trunk, and that
46. Andrew Middleton walked to the POLICE CRUISOR with my passport in his hand, and that

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47. Andrew Middleton set in the driver' s seat and asked if I needed medical attention, and I asked if he or the CITY OF GRAND RAPIDS POLICE was going to tender the medical payment and he stated, "no", and that
48. Andrew Middleton had in his possession my passport, which indicated he searched my purse without my consent. I communicated to Andrew Middleton that he did not have consent to enter into my private property my purse warrantless and he stated "yes I can", and I communicated to Andrew Middleton that I am charging him with unlawfully searching my private property and taking my property, and that
49. Andrew Middleton asked I, Carmie-ronata, if I had a license before, and I communicated, "anything that I say can and will be used against me", and that
50. A Meril' s Towing tow truck approached the scene to tow my private property. I communicated to Andrew Middleton there is a visible NO trespass notice contract posted on the front window and if my private property is towed you are liable for theft of property in the amount of \$30,000.00, and Andrew Middleton remained silent, and that
51. The tow agent walked in front of the side of my private automobile and saw the visible NO trespass contract and walked to the POLICE CRUISOR and stated, "I don' t want you to think that I don' t know what I am doing but I am going to have to call another tow driver to assist me and Andrew Middleton stated, "no it' s alright, and that
52. When the tow agent walked off Andrew Middleton laughed and communicate to the lady in the passenger seat and called him "an idiot", and that
53. As I sat captive in the POLICE CRUISOR uncomfortably with pain in my vertebra and right rhomboid for over 50minutes, witnessing agents acting for Merl' s towing unlawfully tow my automobile an OFFICER whether PEACE OR POLICE opened the POLICE left CRUISOR door, and that
54. The OFFICER whether PEACE OR POLICE identified himself as the Sergeant Manser. Sergeant Manser communicated, "he was called to the scene and communicated if you would have done what you were told this would not be, and that I need to take responsibility for my actions, and I communicated, "you need to take responsibility for your armed OFFICER' s yanking a private womb-man out her private automobile forcing me to the ground and re-injuring my vertebra. Sergeant Manser communicated that, "I should have complied and asked if I needed medical attention. I, Carmie-ronata communicated, "will you be tendering the medical bill" and Sergeant Manser communicated, "no", and
55. The OFFICER whether PEACE OR POLICE Sergeant Manser communicated while in the dark, "your face looks like it doesn' t have any injuries", and closed the POLICE CRUISOR door, and that
56. I, Carmie-ronata was kidnapped and held captive in a POLICE CRUISOR, being taken to an unknown location, and that
57. Andrew Middleton pulled into a private drive that was scan access only and drove into a private lot and parked the cruiser, and that
58. Andrew Middleton exited the POLICE CRUISOR and walked around to open the vehicle door, and that

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59. Andrew Middleton grabbed my arm forcefully to pull me out the POLICE CRUISOR, and as I stood up he told me to walk forward, and that
60. I, Carmie-ronata communicated to Andrew Middleton, "I do not know where I am and where I am going and to make certain that he has on record that I do not consent or volunteer to any form of processing", and that
61. Andrew Middleton grabbed my arm and pulled my physical body to access only door and walked me into a room left of the access door with others in the room, and that
62. Andrew Middleton directed walked me to the end of the room and went out the room and grabbed a clip board with writing on it that he did not show, I, Carmie-ronata, and that
63. Andrew Middleton walked backed into the room and put the clip board on the table and began to search I, Carmie-ronata private property my body again, and that
64. I, communicated to Andrew Middleton "you do not have my consent to touch my private property my body and told him to stop touching my body", but Andrew Middleton forced himself upon me with his hands and continued punitively raping, punishing my physical body, and he stated, " I am using the back of my hand", and that
65. Andrew Middleton picked up the clip board and asked questions from the board and I communicated, "I accept for value and return for value and utilize my exemption to settle and close this matter", and Andrew Middleton agitatedly stated, "What are you talking about", and that
66. I, Carmie-ronata communicated to Andrew Middleton, "ignorance o the law is no excuse and to take the handcuffs off me and I will write it on the paper, and he stated, "No and to sit down", and
67. I, Carmie-ronata, communicated you re-injured my lumbar vertebra and it hurts to sit down", and Andrew Middleton stated, "if you have a back injury then sitting down won' t make it hurt", and I, Carmie-ronata communicated are you my "God" "are you within my body" and Andrew Middleton stated, "no you don' t make sense", and that
68. Andrew Middleton filled out the paper that I did not have access to review so I have no knowledge or conscious awareness of what Andrew Middleton put unto the paper, and that
69. Andrew Middleton escorted me out the room by pulling me to another entrance where there where three male deputy' s that grabbed unto my personal property my body (one standing to the right of me holding my right arm, the other standing to the left of me hold my left arm and another standing being me taking hold of my right hand forcing my thumb to make contact to a machine device, and that
70. I, Carmie-ronata communicated to each deputy that you are to provide me with full disclosure of what you are doing and one of the male deputy communicated that I have to place my thumb into a machine to run identification, and that
71. I, Carmie-ronata, communicated that I do not consent to running a thumb print and the male deputy' s forcefully pushed me to the machine grapping my cuffed hand to involuntarily position my thumb on the machine, and that

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72. A lady deputy arrived and stated to the deputy men that I do not have to put my thumb print into the machine, so one deputy pushed me to the an empty area that I became aware was for another physical body search area, and that
73. The lady deputy physically searched my body so aggressively that I told her she was hurting me and I, Carmie-ronata communicated that I have a vertebrae injury in which the OFFICER re-injured, and that
74. The lady deputy continue to aggressively search and told me to lift my leg and bend over and take off my shoes and I, Carmie-ronata communicated again that I have a spinal injury and I am in pain and I cannot lift my leg nor bend over, and that
75. A man deputy came and took off my shoes, removed my shoe strings and the lady deputy destroyed my property by cutting the draw string of my pants, and that
76. The woman deputy searched thru my private property of my hair and removed my scarf and my wig, embarrassing me completely while the male DEPUTY' S and Andrew Middleton laughed. Andrew Middleton stated, "oh yea your bond is \$300.00". I felt completely mentally raped and humiliated, and that
77. While I, Carmie-ronata communicated to the female deputy that I seek a copy of the SHEIRFFE DEPARTMENT arrest and booking manual to make sure they are all following there policy and she communicated she would go and get me a copy and she never did, and that
78. After the final search I was un-handcuffed and escorted to a small room with other women with no direction of what the process was, and that
79. I, Carmie-ronata within those four hours did not have access to phone calls TO UPDATE my family or fiancée notifying them where I was, and that
80. On or around four hours and male deputy came to unlock the door and called the legal person surname Burnett so I corrected him and stated my name is Carmie-ronata not Burnett, and he told me to go sit and they will call you at the desk. I awaited about 10 minutes, a male deputy called the legal person surname, and I corrected him informing him my name is Carmie-ronata not Burnett. The male deputy at the desk began asked questions and I notified him that I do not consent and that he is to give me full disclosure of this process. The male deputy continued asking investigative questions and I communicated why you are asking these type of questions and the male deputy stated that these are questions for the court. I, Carmie-ronata communicated why does the court need to know about money accounts and if I have a job, and he communicated he does not know, and that
81. I, Carmie-ronata did not have permission to view what the male officer entered into the computer system so I have no knowledge or conscious awareness of what the information says, and that
82. The male deputy provided I, Carmie-ronata a card with numerical numbers to utilize the phone, and that
83. Following leaving the desk another male deputy called the legal surname to come to the area of photograph and finger print. I corrected this male deputy by stating my name is Carmie-ronata not Burnett that is a legal person name. He stated "okay". I asked the male deputy to provide me full disclosure on their policy about finger printing and photographing and he responded "no", and that

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84. I, Carmie-ronata asked the male deputy a question, "does the law permit fingerprinting and photographing before a man or woman is found guilty", and he responded "yes" and I asked him to show me it writing, he declined to, and that
85. After photographing the female deputy called me finger printing. I asked the female deputy a question, "does the law permit you to fingerprint a man or woman before they are considered guilty and she communicated, "yes" and asked her to show me in writing, she declined. I asked her "does a third party have access to the fingerprints", and she communicated, "no", "the finger prints are sent to a company that sends it to the STATE OF MICHIGAN". I asked another question, "are the finger prints utilized for the purpose of identifying a living woman to an artificial person", she communicated, "no", and I asked, "are the fingerprints being sold or seen by any one else, she said, "no", and that
86. After that process I called and updated my sister, and that
87. Within an hour of that process, a nurse called me into an office requesting my urine and to take vitals and answer questions. I communicated to the nurse I do not consent to providing a urine sample nor participate in the questionnaire nor provide my vitals. The nurse typed information within the system that I did not have permission to read, so I have no knowledge or conscious awareness of what the nurse typed, and that
88. After exiting the nurse I was sent back into the holding room until on around 1:00pm, and that
89. My sister was there at 6:00am to tender the \$300.00 and they told her CARMIE RONATA BURNETT was not in the system and it took till around 10:00 am for her to tender the payment and it took until on,, around or after 1:00pm to be called to be set at my liberty, and that
90. I opened the personal bag and discovered an Incident report that was unreadable at the bottom of the report and that stated directions of what to do are on the back and both documents were blank and it did not list a physical address (see Exhibit ), and that
91. I, Carmie-ronata invoked my right to remain silent and did not voluntarily, knowingly or intelligently waive them during the course of the entire action, and that
92. I, Carmie-ronata exercised my rights and refrained from answering any inquires or providing any documents that would self-incriminate and or assist in providing evidence during the entire course of this action, and that
93. The search was "without cause, consent or warrant," and that the arrest was "without cause, reason or warrant
94. I, Carmie-ronata, tendered \$168.50 to the CITY OF GRAND RAPIDS POLICE IMPOUND to obtain my private automobile, and had to tender \$80.00 to get it towed off the lot because of not having any STATE plates, and that
95. I, Carmie-ronata tendered \$5.00 to obtain a copy of a police report that was altered with black lines preventing full disclosure of what was said, and that
96. I, Carmie-ronata, by UNITED STATES POSTAL SERVICE REGISTERED MAIL NUMBER RF165342231US mailed PHYSICAL DRIVERS LICENSE with number B653108744167 along with forms and AFFIDAFIT AND NOTICE OF DRIVERS LICENSE CANCELLATION, canceling DRIVERES LICENSE CONTRACT to STATE OF SILENCE IS ACQUIESCENCE pursuant FEDERAL RULES OF EVIDENCE RULE 301 Note that a judge is a magistrate and is not the tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)

MICHIGAN LICENSING DEPARTMENT, and was told by a STATE OF MICHIGAN REPRESENTATIVE IN FEBRUARY 2021 that the DRIVERS LICENSE was canceled, and that

97.1, Carmie-ronata, by UNITED STATES POSTAL SERVICE CERTIFIED 7020450000101985044 MAIL NUMBER mailed physically a NOTICE OF RESIGNATION OF REGISTERED AGENT, NOTICE "RIGHT TO TRAVEL" my testimony via AFFIDAVIT by Carmie-ronata, DEMAND FOR EXEMPTION OF PRIVATE NONCOMMERCIAL USE OF AUTOMOBILE AS A HOUSEHOLD GOOD/CONSUMER GOOD FROM REGISTRATION AND LICENSING, NOTICE TO REFUTE, CONTROVERT,] OF THE RIGHT TO TRAVEL, TO GRAND RAPIDS POLICE CHIEF ERIC WINSTON and MICHELLE LAJAYE-YOUNG, KENT COUNTY SHERIFF that was received April 2, 2022 (see Exhibit 4).

## V.

### ALLEGATIONS/COUNT CHARGES

Carmie-ronata claims the following....

This complaint states a valid claim for relief, Complaint alleges that PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did willfully, unlawfully and feloniously engaged in acts that violated constitutionally protected and secured rights and interests, and inter alia under unfound accusations. These types of misconduct individually or collectively violate citizens' constitutional rights. Tennessee v. Garner, 471 U.S. 1 (1985); Graham v. Connor, 490 U.S. 386 (1989); Albright v. Oliver, 510 U.S. 266 (1994); Deitrich v. Burrows, 167 F.3d 1007, 1013 (6th Cir. 1999); Olson v. Tyler, 771 F.2d 277 (7th Cir. 1985); Knowles v. Iowa, 119 S.Ct. 484 (1998); Wyoming v. Houghton, 119 S.Ct. 1297 (1999); Kalina v. Fletcher, 118 S.Ct. 502 (1997); Hill v. McIntyre, 884 F.2d 271, 275 (6th Cir. 1989); Bruning v. Pixler, 949 F.2d 352, 357 (10th Cir. 1991).

The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy and statutes are "not the law", [Self v. Rhay, 61 Wn (2d) 261], and I, Carmie-ronata invokes Common law under Article III per 28 USC 1333.

Where it was concluded by that court (9th Circuit) that "the people" are not bound by codes, rules regulations and ordinances, being mere private acts of laws, but are inescapably and "forever" bound by the law of the land, being the general laws, and entitled to the free exercise of all processes provided by the general law of the land, which have been protected and secured by the several state constitutions as foundational, organic law and shall never be compromised. [Rodrigues v Secretary of Labor. Donovan. 769 F.2nd 1344 (1985)]

To disregard Constitutional law, and to violate the same, creates a sure liability upon the one involved:

"State officers may be held personally liable for damages based upon actions taken in their official capacities." [Hafer v. Melo, 502 U.S. 21 (1991)].

### COUNT CHARGE 1:

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**COUNT CHARGE 1:**

**COLOR OF OFFICE AND/OR COLOR OF LAW AND OBSTRUCTION OF JUSTICE**

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS willfully and knowingly acted under claim of STATE authority, under color of office and/or under color of any law, and willfully subjected Carmie-ronata to the deprivation and violation of inalienable enumerated rights, interests and immunities secured and protected by the Constitution for the United States of America, and laws of the United States without probable cause for...

- Personating and impersonating law enforcement officers
- Invading and violating the Private Womb-man' s constitutionally protected and secured rights and personal interests, and
- Trespassed and invaded on Private womb-man personal interest in liberty, intrusion on personal interest in privacy, intrusions on an my personal security trespasses on my physical body and trespassed on the interest of the "PERSON", and
- Participated in disorderly and/or misconduct, and acted outside the authority of a "Public Servant", and
- Participates in ongoing conspiracy, and
- Brought bodily harm
- Provided false statement on unfounded accusations to create counterfeit instruments to issue fraudulent bonds for STATE INTEREST and without just compensation, and
- Breached Public Trust, and
- Breach Fiduciary Duty, and
- Violated Oath of Office, and
- Performed unlawful and/or false stop/traffic stop, unlawful detainment in a traffic stop, arrest, assaulted and battery with a weapon, imprisonment, unconstitutionality of an intrusive pre-arrest seizure, unconstitutional fourth amendment warrantless searches and seizures, colorable kidnap and human trafficking, confined private womb-man under statutes and codes, forced involuntarily servitude, impaired contracts, forced fingerprinting and photographing whether reason and unreasonable, and
- Obstructed Justice
- Denied due process, equal protection and liberty using state statutes and codes and hidden contracts to enumerate my rights to life, liberty and the pursuit of happiness.

1. Rev. Stat. § 1979, 42 U.S.C. § 1983 provides: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia...And if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or

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threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both

2. ...Misuse of power possessed by virtue of state law and made IT possible only because the wrongdoer is clothed with the authority of state law is action taken "under color of" state law within the meaning of § 1979. United States v. Classic, 313 U.S. 299; Screws v. United States, 325 U.S. 91. Pp. 183-187. PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS "under color of" enumerated state authority excludes acts of an official or policeman DID NOT show PROOF OF authority under state law, state custom, or state usage to do what he did.
3. 18 U.S.C. § 242 makes certain conduct by persons acting "under color of law" that violates citizens' constitutional rights a federal criminal offense.
4. Color of law. The appearance or semblance, without the substance, of a legal right. The term usually implies a misuse of power made possible because the wrongdoer is clothed with the authority of the state. State action is synonymous with color of state law in the context of federal civil-rights statutes or criminal law. See state Action. Cases: Civil Rights 1323. C.J.S Civil Rights 92-94.
5. Color of law. The term does not mean actual law, but means mere semblance of a legal right. (Kinney Law Dictionary). See State ex rel. West v. Des Moines, 96 Iowa, 521, 31 L.R.A. 186, 192, 65 N.W. Rep. 818.
6. Amendment X. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

#### ELEMENTS OF DEPRIVATION

- "A Title 42 USC § 1983 claim must present two elements: (1) that there was the deprivation of a right secured by the Constitution and (2) that the deprivation was caused by a person acting under color of state law." Wittstock v. Mark A. Van Sile, Inc., 330 F.3d 899, 902 (6th Cir. 2003) (quoting Tahfs v. Proctor, 316 F.3d 584, 590 (6th Cir. 2003).
- The Supreme Court has twice upheld the constitutionality of 18 U.S.C. § 242 and its predecessors, first in Screws v. United States, 325 U.S. 91 (1944), and again in Williams v. United States, 341 U.S. 97 (1950). Both Screws and Williams concerned federal criminal prosecution of local, municipal law enforcement officers for use of excessive force. Since § 242 is constitutional.

In its order granting the Defendant's motion for summary judgment, the district court began its analysis by setting forth the elements of a § 1983 claim against an individual state actor as follows:

1. [the plaintiff] possessed a constitutional right of which she was deprived;

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2. the acts or omissions of the defendant were intentional
3. the defendant acted under color of law; and
4. the acts or omissions of the defendant caused the constitutional deprivation. Estate of Macias v. Lopez, 42 F. Supp.2d 957, 962 (N.D. Cal. 1999).

The court also stated that, to establish municipal liability, a plaintiff must show that

1. [the plaintiff] possessed a constitutional right of which she was deprived;
2. the municipality had a policy or custom;
3. this policy or custom amounts to deliberate indifference to [the plaintiff's] constitutional right; and
4. the policy or custom caused the constitutional deprivation.

### **COUNT CHARGE 2:**

Constitutionally Invasion and/or violation of 8<sup>th</sup> Amendment of the Constitution for the United States of America...BODILY HARM, cruel and unusual punishment inflicted

Constitutionally Invasion and/or violation Under 8<sup>th</sup> Amendment of the Constitution for the United States of America and under breach of 18 U.S.C. 242, PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did aggressively opened Carmie-ronata' s private automobile door to where the door swung far opened, and Andrew Middleton reached into the private automobile, wrapped both his hands around my left wrist and employed unreasonable force unto my physical body and yanked me out the car unto the ground and pinned me down with other PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS. While in unlawful custody PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS Carmie-ronata' s safety by exhibiting physical hostility and excessive use of force to the Private womb-man causing an immense amount of pressure unto her thoracic and lumbar spine that caused re-injury to her lumbar and sacral vertebrae while handcuffing me, and declined to tender payment for any medical treatment for the bodily harm that their actions caused...As the Court acknowledges *ante* at 452 U. S. 702, the record in this case presents no evidence whatsoever that the police feared any threat to their safety or that of others from the conduct of the respondent, or that they could reasonable have so feared. The Court says that this nevertheless was the "kind of transaction that may give rise to sudden violence..." *Ibid*. But where the police cannot demonstrate, on the basis of specific and articulable facts, a reasonable belief that a person threatens physical harm to them or others, the speculation that other persons in that circumstance might pose such a threat cannot justify a search or seizure. *Ybarra v. Illinois*, 444 U. S. 85, 444 U. S. 92-93.

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did willfully punish, Oppress, torture and unlawfully prosecute the Private womb-man without being found guilty.

- The person so attempted to be restrained of his liberty has the same right, and only the same right, to use force in defending himself as he would have in repelling any other assault and battery." State v. Robinson 145 Me. 77, 72 Atl. 2d 260, 262 (1950).
- "The offense of resisting arrest, both at common law and under statute, presupposes a lawful arrest. It is axiomatic (self-evident) that every person has the right to resist an unlawful arrest. In such case the person attempting the arrest stands in the

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position of a wrongdoer and may be resisted by the use of force, as in self-defense.”  
State v. Mobley 240 N.C. 476, 83 S.E. 2d 100, 102 (1954).

- See also Skinner v R Labor Executives’ Ass’n, 489 US 602, 613-614; 109 S Ct 1402; 103 L Ed 2d 639 (1989) (stating that the Fourth Amendment “guarantees the . . . security of persons against certain arbitrary and invasive acts by officers of the Government”
- WELCH, J. (concurring). “I am in full agreement with the majority opinion. I write separately to explain why the fingerprinting policy at issue also infringes upon an individual’s reasonable expectation of privacy and thus constitutes a Fourth Amendment search under Katz v United States, 389 US 347; 88 S Ct 507; 19 L Ed 2d 576 (1967), and its progeny” .

### **COUNT CHARGE 3:**

#### **PERSONATING AND IMPERSONATING LAW ENFORCEMENT OFFICERS AND ONGOING CONSPIRACY violating constitutionally protected and secured rights and interest**

POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS while personating and impersonating law enforcement officers did willfully, unlawfully and feloniously go upon the public road and conspire to injure, oppress, threaten, or intimidate Carmie-ronata, Claimant with intent to prevent or hinder my free exercise and or enjoyment of any right in violation TITLE 18 § 241. POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS ONGOING CONSPIRACY, CONSPIRATING AGAINST PRIVATE WOMBMAN RIGHTS, deprived Carmie-ronata from exercising the Self-incrimination clause secured or protected by the Fifth Amendment for the Constitution of the United States of America protecting herself from being the conduit by which the police acquire evidence.

PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS overzealous police practices failed to safe guard effectively securing the Fifth Amendment right of the Constitution for the United States of America of Self-incrimination. POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did not clearly inform Carmie-ronata that she had a right to remain silent, and that anything she says will be used against her in court, to assure a continuous opportunity to exercise it, and to honor them fully. PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did not clearly inform Carmie-ronata that she has a right to consult with council, to assure a continuous opportunity to exercise it, and to honor them fully.

The Sixth Amendment of the Constitution for the United States of America by asking questions to know the “Nature” of the stop. PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS statements of request to provide a driver’s license, vehicle registration and insurance under the circumstances did not meet constitutional standards for Carmie-ronata’s secured and protected right against self-incrimination.

- TITLE 18 § 241. Conspiracy against rights.

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If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

- ✓ They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.
- In *Brown v. Texas*, 443 U. S. 47, we held that a statute requiring individuals to identify themselves was unconstitutional as applied, because the police did not have any reasonable suspicion that the petitioner had committed or was committing a crime.
- “The privilege against self-incrimination which has had a long historical development, is the essential mainstay of our adversary system and guarantees to the individual “the right to remain silent unless chooses to speak in the unfretted exercise of his own will” *Miranda vs Arizona*.
- Mr. CHIEF JUSTICE WARREN says… “from an individual who is subject to police interrogation and the necessity for procedures which assure that the individual is accorded under the Fifth Amendment to the Constitution not be compelled to incriminate himself”, see *Miranda vs Arizona* 384, U.S. 436, 86 S. Ct.1602.
- “...to respect the inviolability of the human personality and to require government to produce the evidence against the accused by its own independent labors, see *Miranda vs Arizona* 384, U.S. 436, 86 S. Ct.1602.

#### **COUNT CHARGE 4:**

#### **BREACH OF PUBLIC TRUST CONSTITUTIONALLY PROTECTED AND SECURED RIGHTS**

PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS actions of disorderly conduct and/or misconduct eroded the public trust while acting within or outside their delegation of authority and authority as a Public servant, breached the PUBLIC TRUST in which violated protecting the integrity of the justice system. “This is a central tenet to the system of federalism, which the U.S. Constitution embodies. That is, in the United States, the federal government does not hold a general police power but may only act where the Constitution enumerates a power”. The power of taxation, like the police power, is indispensable to the existence of a State government, and it has never been pretended that it SILENCE IS ACQUIESCENCE pursuant FEDERAL RULES OF EVIDENCE RULE 301 Note that a judge is a magistrate and is not the tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)

is impaired by any clause of the Federal Constitution, **except so far and in such respects as that instrument expressly prohibits it**". Crandall v. State of Nevada, 73 U.S. 35 (1867). The STATE OF MICHIGAN under colorable law imposes policing power upon the Private womb-man that is repugnant to the Constitution for the United States of America, and with these words written by Chief Justice Marshall, "A Law repugnant to the Constitution is void."

## COUNT CHARGE 5

### TRESPASS AND UNCONSTITUTIONAL INVASION OF INTERESTS AND RIGHTS

By unconstitutional invasion PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did trespass, intrude and invade upon Carmie-ronata' s rights, personal interests in Liberty, personal interests, intruded on personal interest in privacy, intrusive on an my personal security, and trespasses on my physical body, trespassed on the interest of the "PERSON", and trespassed on my property. My free-will to exercise and enjoy the rights and immunities secured by the Constitution for the United States of America and Laws of the United States, namely,

1. The right of the Private womb-man to use the public highways for private, rather than commercial purposes, and
2. The right to travel the roadways in pursuit of life and liberty, and not for hire, corporate gain or trafficking goods or commodities or sale, and
3. The right to use my private automobile for personal property for household good and consumer goods and not or the operation of any commerce or monetary gain,
4. The right to a kind act of pulling over because I noticed red lights declaring an emergency and discovering if my help is needed, and

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS willfully subject Carmie-ronata to the deprivation of rights secured OR PROTECTED by the Constitution for the United States of America by willfully subjecting Carmie-ronata to different punishments on account of her religious belief to exercise "free to speech" to ask questions to obtain the "Nature of the Action" is a violation of the Private-womb-mans' s protected First Amendment interest and is misconduct on behalf of PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS.

- "...making it a crime to conspire to "injure" or "oppress" any citizen "in the free exercise of any right or privilege secured to him by the Constitution, **United States v. Classic, 313 U.S. 299 (1941).**
- As well said by Judge Cooley: "The right to one's person may be said to be a right of complete immunity; to be let alone." Cooley on Torts 29.
- In Delaware v. Prouse, 440 U. S. 648, 440 U. S. 663, the Court held that police could not make random stops of vehicles in order to check drivers' licenses and vehicle registrations in the absence of "articulable and reasonable suspicion" that the motorist was unlicensed or the car unregistered.

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- “No agency of the corporate government network has the authority to deprive living men and women of their human unalienable rights -unless consent or agree to contract, see **Bond vs United States**.
- “It is well settled that the Constitutional rights protected from invasion by the police power include Rights safeguard both by express and implied prohibitions in the Constitutions, See **Tiche vs. Osborne**, 131 A. 660.
- Justice Jackson recognized the significance of this determination in *Johnson v. United States*, 333 U. S. 10, when the right of privacy must reasonably yield to the right of search is, as a rule, to be decided by a judicial officer, not by a policeman or government enforcement agent.”
- 11 Am.Jur., Constitutional Law, § 329, p. 1135 wherein it is said:

“Personal liberty largely consists of the right of locomotion -to go where and when one pleases - only so far restrained as the rights of others may make it necessary for the welfare of all other citizens. The right of a citizen to travel upon the public highways and to transport his property thereon, by horse drawn carriage, wagon, or automobile, is not a mere privilege which may be permitted or prohibited at will, but a common right which he has under his right to life, liberty, and the pursuit of happiness. Under this constitutional guaranty one may, therefore, under normal conditions, travel at his inclination along the public highways or in public places, and while conducting himself in an orderly and decent manner, neither interfering with nor disturbing another’s rights, he will be protected, not only in his person, but in his safe conduct.”
- “In *Ex parte Dickey* (*Dickey v. Davis*) 76 W.Va. 576, L.R.A. 1915 F, 840, P.U.R. 1915 E, 93, 85 S.E. 781, we find this apt expression of the court: ‘The right of a citizen to travel upon the highway and transport his property thereon, in the ordinary course of life and business, differs radically and obviously [[Orig. Op. Page 11]] from that of one who makes the highway his place of business and uses it for private gain, in the running of a stagecoach or omnibus. The former is the usual and ordinary right of a citizen, a common right, a right common to all, while the latter is special, unusual and extraordinary. As to the former, the extent of legislative power is that of regulation; but, as to the latter, its power is broader, the right may be wholly denied, or it may be permitted to some and denied to others, because of its extraordinary nature. This distinction, elementary and fundamental in character, is recognized by all the authorities. .’”

**COUNT CHARGE 6:****UNCONSTITUTIONALITY OF A INTRUSIVE  
UNLAWFUL AND/OR UNREASONABLE PRE-ARREST AND ARREST, UNCONSTITUTIONAL FOURTH  
AMENDMENT WARRANTLESS SEARCHES AND SEIZURES,**

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND had no articulable basis for suspecting criminal activity, no reasonable suspicion that a crime has been or is being committed to stop Carmie-ronata. It must be recognized that, where a police officer accosts individual and restrains his freedom to walk way, he has 'seized' that person." There was no Information "carried enough indicia of reliability to justify the officer's forcible stop of Carmie. The absence of any articulable facts available to the officer rendered a detention unreasonable. In *Dunaway v. New York*, 442 U. S. 200, the Court reaffirmed the general rule that an official seizure of the person must be supported by probable cause, even if no formal arrest is made. PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND willfully Performed unlawful and/or false stop/traffic stop, unlawful detainment in a traffic stop, arrest, assaulted and battery with a weapon, imprisonment, unconstitutionality of a intrusive pre-arrest seizure, unconstitutional fourth amendment warrantless searches and seizures, kidnap and human trafficking, confined private womb-man under statutes and codes, forced involuntarily servitude, impaired contracts, forced fingerprinting and photographing whether reasonable and/or unreasonable.

- Although no State has undertaken to limit the common law doctrine that one may use reasonable force to resist an unlawful arrest by a private person, at least two States have outlawed resistance to an unlawful arrest sought to be made by a person known to be an officer of the law. R.I.Gen.Laws § 12-7-10 (1969); *State v. Koonce*, 89 N.J.Super. 169, 180-184, 214 A.2d 428, 433-436 (1965).
- The Supreme Court has noted that a traffic stop is an "unsettling show of authority" that may "create substantial anxiety." *Delaware v. Prouse*, 440 U.S. 648, 657, 99 S.Ct. 1391, 1398, 59 L.Ed.2d 660 (1979).
- "An illegal arrest is an assault and battery. The person so attempted to be restrained of his liberty has the same right to use force in defending himself as he would in repelling any other assault and battery." (*State v. Robinson*, 145 ME. 77, 72 ATL. 260).
- "Each person has the right to resist an unlawful arrest. In such a case, the person attempting the arrest stands in the position of a wrongdoer and may be resisted by the use of force, as in self- defense." (*State v. Mobley*, 240 N.C. 476, 83 S.E. 2d 100).
- " No right is held more sacred, or is more carefully guarded, by the common law than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear and unquestionable authority of law." *Union Pac. R. Co. v. Botsford*, 141 U. S. 250, 251 (1891).
- A warrantless search, although generally considered unreasonable, is valid if conducted pursuant to the person's consent. *Schneckloth v. Bustamonte*, 412 U.S. 218,

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219, 93 S.Ct. 2041, 2043, 36 L.Ed.2d 854 (1973). However, the burden of proving that consent is on the government if there is no warrant. *Florida v. Royer*, 460 U.S. 491, 497, 103 S.Ct. 1319, 1323, 75 L.Ed.2d 229 (1983). The consent must be freely and voluntarily given, and this must be proven by "clear and positive" proof. *United States v. McCaleb*, 552 F.2d 717, 721 (6th Cir. 1977).

- If the police, acting without probable cause, can seize a person to make him available for arrest in case probable cause is later developed to arrest him, the requirement of probable cause for arrest has been turned upside down. And if the police may seize a person without probable cause in order to "facilitate" the execution of a warrant that did not authorize his arrest, the fundamental principle that the scope of a search and seizure can be justified only by the scope of the underlying warrant has suffered serious damage. There is no authority in this Court for the principle that the police can engage in searches and seizures without probable cause simply because to do so enhances their ability to conduct Page 452 U. S. 710 investigations, which may eventually lead to probable cause. See *Davis v. Mississippi*, 394 U. S. 721, 394 U. S. 726-27.
- A warrantless search, although generally considered unreasonable, is valid if conducted pursuant to the person's consent. *Schneekloth v. Bustamonte*, 412 U.S. 218, 219, 93 S.Ct. 2041, 2043, 36 L.Ed.2d 854 (1973). However, the burden of proving that consent is on the government if there is no warrant. *Florida v. Royer*, 460 U.S. 491, 497, 103 S.Ct. 1319, 1323, 75 L.Ed.2d 229 (1983). The consent must be freely and voluntarily given, and this must be proven by "clear and positive" proof. *United States v. McCaleb*, 552 F.2d 717, 721 (6th Cir. 1977).

#### **COUNT CHARGE 7:**

**Sexual intimidation, Sexual Assault, emotional and punitive rape, Unlawful search of a human without a warrant and without probable cause.**

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND willfully did exercise under colorable of law enforcement authority for public and personal gratification of to sexually assault, to sexual and physical intimidation, and emotionally and punitively rape the Private womb-man under color of statute. A male PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND under given NOTICE by the Private-womb-man non-consent to him touching my private property i.e. Body, and the male PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND did forcefully compel the Private womb-man to restraint and forced upon me acceptance of my body being harassed by his touches. His performance of misconduct was emotional and punitive rape, "I said "No" and the male officer under artificial law forced himself against my rights and interest, and depriving me of my secured and protected Fifth Amendment right of life, liberty and property.

- "To compel anyone, and especially a woman, to submit it to the touch of a stranger without lawful authority is an indignity, an assault, and a trespass, and no order of process commanding such an exposure or submission was ever known to the common law in the administration of justice between individuals" See. *Union Pacific Railway Co. v. Botsford*, 141 U.S. 250 (1891).

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- “The most basic function of any government is to provide for the security and of his property”, Lanzetta v New Jersey, 306 U.S. 451, 455.
- Nor would I suggest that compunctions about the stereognosis of the breasts and genital area of a female suspect “stereotypes” the male officer. Officers should continue to have some sense of “delicacy,” as the Court calls it, see U.S. vs Kelly No. 88-5970, 1990.

### **COUNT CHARGE 8:**

#### **UNCONSCIONABLE CONTRACT, FRAUD IN THE FACTUM**

Under 18 U.S. Code § 1341 PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND did trick or scheme, did provide fraudulent statements and/or Entries Generally, did utter and/or publish as true the with the intent to injure or defraud by creating an unconsciounable contract through (1)INCIDENT REPORT FORM, (2) INTERIM BOND, (3) TICKECT NUMBER 23Z687391 and 23Z687392, and (4) CASE NUMBER 23-023046 that is found under fraud in the factum. PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND did provide false statements on unfounded accusations to create unconsciounable contract to issue fraudulent bonds for STATE INTEREST and without just compensation by way of (1)INCIDENT REPORT FORM, (2) INTERIM BOND, (3) TICKECT NUMBER 23Z687391 and 23Z687392, and (4) CASE NUMBER 23-023046 that is founded under fraud in the factum.

- “The Fourth Amendment was violated when PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS police intentionally fabricated information contained in the police report” (See Kalina v. Fletcher, 118 S.Ct. 502 (1997) and in this affidavit, material false statements either knowingly or in reckless disregard for the truth.”) see Bruning v. Pixler, 949 F.2d 352, 357 (10th Cir. 19910. “The law was clear that an officer would violate a plaintiff ’s Fourth and Fourteenth Amendment rights by knowingly or recklessly making a false statement in an affidavit in support of an arrest”) see, Olson v. Tyler, 771 F.2d 277 (7th Cir. 1985). The “Fourth Amendment violated when arrest based on false reports:, see Tribble v. Sanchez, 1996 WL 496603 (N.D. Ill. 1996) under false accusations that...
- The Private-womb-man status is “Black”, and
- The Private-womb-man is a “Driver”, and
- The Private-womb-man is a holder of a “Drivers License”, and
- The Private womb-man is the “Ens Legis” or “LEGAL PERSON” “CARMIE RONATA BURNETT” or “BURNETT”, and
- The Private-womb-man operates a “vehicle” and

The Suitor, Private womb-man states claim for, conspiracy to file false arrest report falsely identifying the Private womb-man as “Black”, as a “Driver” PEACE or POLICE OFFICER’ S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did alter INCEIDENT REPORT FORM by blacking out information removing full disclosure, and

1. The citation stated “see back of citation for explanation and instructions on the back side of instruments; which were blank, provided a unknown address and a no signed signature, and

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2. Incident Report form did provide false statements that the Private womb-man (1) assault batter, resist or obstruct a police officer, (2) Fail or reuse to obey a lawful order of a police officer, (3) Fail or refuse to identity oneself to a police officer, and (4) driving offenses (no ops on pers/other dr), and
3. Bonds charge 53311 disorderly conduct, 34.1608 resisting & obstructing, 750.1667 (disorderly person) were created under unfounded accusations created a non-fully disclosed contract forcing the living womb-man to be surety for an indebtedness, and (See [Exhibit 4](#))

- **False Reports:** The Fourth Amendment is violated when police intentionally fabricate information contained in documents such as warrants or police reports. See *Kalina v. Fletcher*, 118 S.Ct. 502 (1997) (prosecutor may be liable under.

TITLE 18 > PART I > CHAPTER 47 > § 1001

§ 1001. Statements or entries generally

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1) Falsifies, conceals, or covers up by any trick, scheme, or device a material fact.

(2) Makes any materially false, fictitious, or fraudulent statement or representation; or

(3) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title or imprisoned not more than 5 years, or both.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

(1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

(2) Any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.

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**COUNT CHARGE 9:**  
**INVOLUNTARY SERVITUDE**

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did willfully, unlawfully and feloniously commit Suitor, Private womb-man, to involuntary servitude, which includes Sodomy of her person without Suitor, Private womb-man, having committed a crime and to have been duly convicted of that crime thru falsely converting the Private womb-man into an artificial construct.

**Amendment XIII**

- **Section 1. Neither slavery nor involuntary servitude**, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. **Section 2.** Congress shall have power to enforce this article by appropriate legislation.

The Violation of 42 U.S.C. § 14141 in the pattern or practice of police abuse, unconstitutional excessive force, false arrests, false reports, and illegal searches by PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS constitutes domestic terrorism.

There is no single, universally accepted definition of terrorism. Terrorism is defined in the Code of Federal Regulations as "...the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives." (28 C.F.R. Section 0.85)

**TITLE 18 > PART I > CHAPTER 113B > § 2331 § 2331. Definitions**

- (5) the term "domestic terrorism" means activities that—
  - (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
  - (B) appear to be intended—
    - (i) to intimidate or coerce a civilian population;

**COUNT CHARGE 10:**  
**BREACH OF FIDUCIARY DUTY**

I Carmie-ronata affirm that all PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS officers are Trustees of the Public Trust and bound by oath to obey the Constitution of The United States of America and the State.

**PUBLIC OFFICERS AND EMPLOYEES ARE PUBLIC TRUSTEES AS FIDUCIARIES OF THE PUBLIC TRUST**

- **63C Am. Jur. 2d, Public Officers and Employees, § 247** "As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised on behalf of the government or of all citizens who may need the intervention of the officer.

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5 CFR § 2635.101 - Basic obligation of public service. § 2635.101 Basic obligation of public service.

(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution,

(b) Laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(1) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

- **Breach of Fiduciary Duty;** Breach of trust is a trustee's failure to act in accordance with the terms of the trust or the trustee's general fiduciary obligations. The trustee is subject to removal in the case of breach of trust and creates personal liability. Whether or not the violation was willful, fraudulent, negligent, or inadvertent, a trustee is said to have committed breach of trust if a duty imposed on him/her by equity was violated

Furthermore, it has been stated that any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud in its elementary common law sense of deceit—and this is one of the meanings that fraud bears [483 U.S. 372] in the statute.

- See [United States v. Dial, 757 F.2d 163, 168 (7th Cir1985)] the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public, including, the judge, in reference to litigants who appear before him and he deliberately concealed material information from them, he was guilty of fraud. [McNally v United States 483 U.S. 350 (1987)]

**COUNT CHARGE 11:**  
**VIOLATION OF OATH**

PEACE or POLICE OFFICER'S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS, et al, having taken an oath to support and defend the United States and the United States Constitution, did willfully and knowingly violate said oath by violating the constitutional Rights of Sovereign American Citizens by not up holding his/her constitutional Rights which is a felony.

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In America the police officer's oath originates within the United States Constitution (Appendix A).

The title of executive officers mentioned in the constitution refers to police officers working under the executive branch of the government. In the United States Constitution under Article IV it states:

"The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and the several States, shall be bound by Oath or Affirmation, to support this Constitution..."

(U. S. Constitution 1787)

The State of Michigan also covers language requiring an oath of office before entering upon the duties of a police officer. Article XI, sec.1 in the Constitution of the State of Michigan (Appendix B), states; "All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ according to the best of my ability..."

(Constitution of the State of Michigan 1835)

It is quite clear that both the U. S. Constitution and the Michigan Constitution hold police officers and politicians accountable for their actions.

If the oath is such an important word and referred to in both Constitutions, it is our job to know and understand what this word means.

**The American Dictionary of the English Language, define an oath as:**

"A solemn affirmation or declaration made with an appeal to God for truth of what is affirmed. The appeal to God in an oath, implies that the person imprecates his vengeance and renounces his favor if the declaration is false, or if the declaration is a promise, the person invokes the vengeance of God if he should fail to fulfill it. A false oath is called perjury."

**Michigan Constitution Official oath or affirmation, form.**

Members of the legislature, and all officers, executive and judicial, except such inferior officers as may by laws be exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear, or affirm, (as the case may be) that I will support the constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ according to the best of my ability." And no other oath, declaration, or test shall be required as a qualification for any office or public trust.

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Grand Rapids Police Department (GRPD), Trustee of the Public Trust for the CITY OF GRAND RAPIDS MICHIGAN did willfully, unlawfully and feloniously violate Official oath, when they deprived Carol Burnett of her constitutionally guaranteed rights, following oath or affirmation: "I do solemnly swear, or affirm, that I will uphold the constitution of the United States and the constitution of this state of Michigan.

**TITLE 18 > PART I > CHAPTER 79 > § 1621 Perjury generally**

**Whoever—**

(1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or

(2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter, which he does not believe to be true.

is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both. This section is applicable whether the statement or subscription is made within or without the United States.

**VIOLATION OF OATH OF OFFICE**

Federal law regulating oath of office by government officials is divided into four parts along with an executive order which further defines the law for purposes of enforcement. 5 U.S.C. 3331, provides the text of the actual oath of office members of Congress are required to take before assuming office. 5 U.S.C. 3333 requires members of Congress sign an affidavit that they have taken the oath of office required by 5 U.S.C. 3331 and have not or will not violate that oath of office during their tenure of office as defined by the third part of the law, 5 U.S.C. 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States Government (including members of Congress) to "advocate the overthrow of our constitutional form of government". The fourth federal law, 18 U.S.C. 1918 provides penalties for violation of oath office described in 5 U.S.C. 7311 which include: (1) removal from office and; (2) confinement or a fine.

**5 USC 7311: Loyalty and striking §7311. Loyalty and striking**

- An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—  
(1) advocates the overthrow of our constitutional form of government.

"Economic necessity cannot justify a disregard of Constitutional guarantee." [Riley vs. Carter, 79 ALR 1018; 16 Am. Jur]. (2nd), Const. Law, Sect. 81.

"Disobedience or evasion of a Constitutional Mandate cannot be tolerated, even though such disobedience may, at least temporarily, promote in some respects the best interests of the public." [Slote vs. Examination, 112 ALR 660].

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**COUNT CHARGE 12:**  
**IMPAIRMENT OF CONTRACT and BREACH OF CONTRACT**

PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS statements amount to fraud with the intent to hide Defendant's wrongful acts and is a direct effect for breach of contract. STATE OF MICHIGAN AND CITY OF GRAND RAPIDS POLICE were provided NOTICE by I, Carmie-ronata thru UNITED STATES POSTAL SERVICE CERTIFIED 7020450000101985044 MAIL NUMBER mailed physically a NOTICE OF RESIGNATION OF REGISTERED AGENT, NOTICE "RIGHT TO TRAVEL" my testimony via AFFIDAVIT by Carmie-ronata, DEMAND FOR EXEMPTION OF PRIVATE NONCOMMERCIAL USE OF AUTOMOBILE AS A HOUSEHOLD GOOD/CONSUMER GOOD FROM REGISTRATION AND LICENSING, NOTICE TO REFUTE, CONTROVERT,] OF THE RIGHT TO TRAVEL, TO GRAND RAPIDS POLICE CHIEF ERIC WINSTON and MICHELLE LAJAYE-YOUNG, KENT COUNTY SHERIFF that was received April 2, 2022 (see [Exhibit L](#)). PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS acts were "prompted solely by malice or ill will and violated the terms to the agreement.

**COUNT 13:**  
**FINGERPRINTS and PHOTONG IS TRESSPASS and PHYSICAL INTRUSION IS A CONSTITUTIONALLY PROTECTED INTEREST VIOLATION**

STATE OF MICHIGAN CITY OF GRAND RAPIDS law enforcement agency willfully did unlawfully take and deposited my fingerprints and photograph and is seizure of my biological (DNA) property that without my consent and without probable cause that a crime has been committed, or pursuant to a warrant per the Fourth Amendment of the United States of America. Carmie-ronata constitutional rights were infringed upon and violated my protective and secured Fourth Amendment rights by the *taking* of my *fingerprints and taking my photograph*, and/or for sharing my *fingerprints* and photo with other agencies. PEACE and/or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS law enforcement agency provided no proof that the right or wrong human being was identified for a crime. Fingerprinting was not reasonably related in scope to the circumstances that justified either stop; fingerprinting was not related to an officer' s immediate safety. Fingerprinting did infringe upon my reasonable expectation of privacy. "Without specialized training or advanced analytical software, the details of one' s fingerprint structure are neither readily observable nor even very useful" see, DENISHIO JOHNSON vs CURTIS VANDERKOOI, ELLIOTT BARGAS, and CITY OF GRAND RAPIDS. "While the taking of fingerprints directly from one' s body is a search under United States v Jones, 565 US 400 (2012)" in which P&P is a constitutionally protected interest Violation. The specific conduct authorized by the City' s policy or custom, i.e., the conducting of P&Ps on the basis of reasonable suspicion (rather than probable cause), resulted in a constitutional violation." See, DENISHIO JOHNSON vs CURTIS VANDERKOOI, ELLIOTT BARGAS, and CITY OF GRAND RAPIDS.

*Under* the Fifth Amendment Constitution for the UNITED STATES OF AMERICA protects and secures the right not to give evidence against myself and through non-consent and non-voluntarily were photographed under force and/or improper duress. It is I Carmie-ronata belief that MY PERSONAL PRIVACY IN THEIR BIOMETRIC FEATURES MAKES THE TAKING OR COPYING OF MY FINGERPRINTS FROM MY BODY WILL BE UTILIZED FOR LATER INVESTIGATION A SEARCH.

In the words of Justice BERNSTEIN, the Supreme Court held,

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- “Fingerprinting constitutes a search under the trespass doctrine, and the P&P policy was facially unconstitutional because it authorized the GRPD to engage in unreasonable searches contrary to the Fourth Amendment”. The Fourth Amendment of the United States Constitution protects the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. Under the common-law trespass doctrine, a search occurs when the government physically intrudes on a constitutionally protected area to obtain information. The trespass doctrine exists alongside the test in *Katz v United States*, 389 US 347 (1967), which provides that a Fourth Amendment search occurs when the government violates a subjective expectation of privacy that society recognizes as reasonable. Because the trespass doctrine exists alongside the Katz test, the Katz test is unnecessary to consider when the government gains evidence by physically intruding on constitutionally protected areas, as was the case here. The fingerprinting of each of the plaintiffs in these cases constituted a physical trespass onto a person’s body, a constitutionally protected area, and the act of fingerprinting was done to obtain information to confirm plaintiffs’ identities. Accordingly, fingerprinting pursuant to the P&P policy constituted a search under the Fourth Amendment” see, *DENISHIO JOHNSON vs CURTIS VANDERKOOI*, *ELLIOTT BARGAS*, and *CITY OF GRAND RAPIDS*.
- “This case law only confirms the plain meaning of the text of the Fourth Amendment, which makes clear that an individual’s body is constitutionally protected under the trespass doctrine: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated . . . .” US Const, Am IV”, see *DENISHIO JOHNSON vs CURTIS VANDERKOOI*, *ELLIOTT BARGAS*, and *CITY OF GRAND RAPIDS*

#### **COUNT CHARGE 14:**

#### **THEFT OF PROPERTY OF CONVEYANCE/AUTOMOBILE BY IMPOUNDING AND TOWING**

PEACE or POLICE OFFICER’S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did unlawfully trespass against private property without the consent of Carmie-ronata. Carmie did have a sign Notice of No Trespass on Private Property visually in front window. “The Fourth Amendment authorizes a person in plaintiff’s position, as proprietor of a business, other than one pervasively regulated, such as trafficking in alcoholic liquors, *Colonnade Catering Corp v United States*, 397 US 72; 90 S Ct 774; 25 L Ed 2d 60 (1970), or firearms, *United States v Biswell*, 406 US 311; 92 S Ct 1593; 32 L Ed 2d 87 (1972), to bar governmental agents, including inspectors carrying out police power functions to protect public health and safety, from his property”. “Common law and constitutional principles of governmental or sovereign immunity have never permitted government agents to commit trespasses in violation of property rights see *Little v Barreme*, 2 Cranch (6 US) 170; 2 L Ed 243 (1804) and unlawfully contracted with a third party to take custody of Carmie-ronata’s private automobile and impounding without justification and just compensation. PEACE or POLICE OFFICER’S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS did mis-classify and convert Carmie-ronata, living womb-man into an ARTIFICIAL PERSON as a “DRIVER” to unlawfully arrest, perform an unlawful inventory search (that violates Carmie-ronata protected and secured fourth amendment of the Constitution for SILENCE IS ACQUIESCENCE pursuant FEDERAL RULES OF EVIDENCE RULE 301 Note that a judge is a magistrate and is not the tribunal. The tribunal is either the sovereign himself, or a fully empowered jury (not paid by the government)

the United States, and fraudulently obtained interest to obtain unlawful delegation of authority over private property without reasonable and proper justification.

**COUNT CHARGE 15:**  
**GROUP LIABILITY, INFERENCE**

When a plaintiff cannot specifically state which defendant (police officers) used force on plaintiff but can specify that certain defendants were among the police officers who were surrounding plaintiff when plaintiff was beaten, and the officers agree they are among the officers who were present, the jury can reasonably infer that the named officers were participants in the alleged unlawful conduct. see *Rutherford v. City of Berkeley*, 780 F.2d 1444, 1448 (9th Cir.1986).

Integral participation of police on which liability can be based does not require that each officer's actions themselves rise to the level of a constitutional violation. see *Boyd v. Benton County*, 374 F.3d 773, 780 (9th Cir.2004).

A police officer is held liable as a member of a group of police officers when he is an integral member of the activities that resulted in a constitutional violation and the actions of the police deprive the alleged victim of any chance to learn exactly which officer took what actions, see *Jones v. Williams*, 286 F.3d 1159 (9th Cir.2002).

**COUNT CHARGE 16**  
**DOMESTIC TERRORISM**

The Violation of 42 U.S.C. § 14141 in the pattern or practice of police abuse, unconstitutional excessive force, false arrests, false reports, and illegal searches by PEACE or POLICE OFFICER' S OF STATE OF MICHIGAN CITY OF GRAND RAPIDS officers constitutes domestic terrorism.

**TITLE 18 > PART I > CHAPTER 113B > § 2331**

§ 2331. Definitions (5) the term “domestic terrorism” means activities that—

(A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State: (B) appear to be intended— (i) to intimidate or coerce a civilian population.

**COUNT CHARGE 17**  
**VIOLATION OF RULE 5. FEDERAL RULES**  
**OF CRIMINAL PROCEDURE**

(a) **In General.** (1) *Appearance Upon an Arrest.* (A) A person making an arrest within the United States must take the defendant without unnecessary delay before a magistrate judge, or before a state or local judicial officer as Rule 5(c) provides, unless a statute provides otherwise. (B) A person making an arrest outside the United States must take the defendant without unnecessary delay before a magistrate judge, unless a statute provides otherwise.

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**COUNT CHARGE 18**  
**18 U.S. CODE § 1038 - FALSE INFORMATION AND HOAXES**

(a) **Criminal Violation.** —(1) **In general.** —Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of this title, section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), or section 46502, the second sentence of section 46504, section 46505(b)(3) or (c), section 46506 if homicide or attempted homicide is involved, or section 60123(b) of title 49, shall—

(A) be fined under this title or imprisoned not more than 5 years, or both;

(B) if serious bodily injury results, be fined under this title or imprisoned not more than 20 years, or both;

**DEMAND FOR ARREST**

Pursuant to the Laws of the United States, We the People DEMAND the arrest of the above named felons. Pursuant to the statutes herein, in particular the Laws of the United States in general, We the People DEMAND that you pursue and prosecute ALL ET AL offenders that have violated their Oath of Office and the Laws of the United States.

**DEMAND FOR SEIZURE OF EVIDENCE**

Pursuant to the Laws of the United States, We the People DEMAND the seizure and impound of ALL books, videos, records and fraudulent claims made by the fictitious plaintiff, THE STATE OF MICHIGAN on the account of ALL municipalities, Counties/Townships as evidence of the ongoing felony.

**WARNING**

Should any person try to cover up the felony complained of herein, BE YOU HEREBY PUT ON NOTICE: You may be indicted under USC Title 18 sections 3, 4, 241, 242, 2381, 2382, 2383 and 2384.

Suitor, Private womb-man, being first truly sworn, states that he has knowledge of the felonies herein complained of: that it is not submitted to be vexatious, but to obtain imperative JUSTICE.

IN WITNESS WHEREOF I verify under penalty of perjury that the foregoing is true and correct, under my hand and seal. Executed per Title 28 U.S.C. Section 1746(1).

Without Prejudice

By:  Suitor, Private womb-man

All my rights, remedies and immunities are explicitly reserved and I exercise them

17 May 2023

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True Bill and Sum Certain

1. Denied right of liberty \_\_\_\_\_ \$200,000.00 5th Amendment
2. Enforced bill of attainder, pains & penalties \_\_\_\_\_ \$200,000.00 U.S.A. Const. Article 1 Sec. 10
3. Enforced ex post facto law \_\_\_\_\_ \$200,000.00 U.S.A Constitution Article 1 Section 10
4. Impairing the obligation of contracts \_\_\_\_\_ \$200,000.00 U.S.A Constitution Article 1 Section 10
5. Unlawful search without a warrant \_\_\_\_\_ \$200,000.00 4th Amendment
6. Unlawful seizure \_\_\_\_\_ \$250,000.00 4th Amendment violation
7. Excessive fine; Cruel & unusual punishment \_\_\_\_\_ \$200,000.00 8th Amendment
8. Powers reserved to the people \_\_\_\_\_ \$200,000.00 10th Amendment
9. Conspiracy against rights \_\_\_\_\_ \$10,000.00 USC Title 42 Section 1985
10. Deprivation of rights under the colour of law, patterns & practice \_\_\_\_\_ \$10,000.00 USC Title 42 Section 1983
11. Violation of property rights \_\_\_\_\_ \$10,000.00 USC Title 42 Section 1982
12. Violation of due process \_\_\_\_\_ \$250,000.00 14<sup>th</sup> Amendment
13. Fraudulent statements and representation \_\_\_\_\_ \$10,000.00 (x3) USC Title 18 Section 1001 violation
14. Breach of Public Trust \_\_\_\_\_ \$200,000.00 Article 6 Clause 3 Constitution of the United States
15. UNCONSCIONABLE CONTRACT \_\_\_\_\_ \$200,000.00 18USC 1341
16. FORCED IMPRESSIONS OF FINGERPRINTS \_\_\_\_\_ \$250,000.00 5<sup>th</sup> Amendment
17. Assault resulting in serious bodily injury 18 U.S.C. § 113(a) (6) \_\_\_\_\_ \$200,000.00
18. Sexual Intimidation \_\_\_\_\_ \$10,000.00
19. Trespass to Private Property \_\_\_\_\_ \$30,000.00

SUB-TOTAL            \$2, 830, 000. 00  
 FRAUD: X3  
 TOTAL:            \$ 8, 430. 000. 00

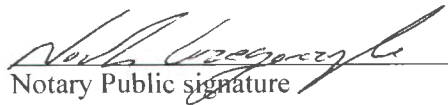
FOR THE RECORD OF THE COURT  
 ACCEPTED INTO THE REORD OF THIS COURT  
 BE IT HEREBY RESOLVED

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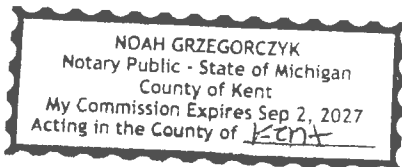
**JURAT**

State of Michigan                    )  
  ) ss.  
County of Kent                        )

SUBSCRIBED and AFFIRMED before Me. A Notary Public residing in KENT County, the State of Michigan. The above Suitor, Private womb-man appeared, known by me and identified herself, and affixed her signature hereto, the 17 day of May, 2023.

  
Notary Public signature

9-2-27  
My commission expires:



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